

July 19, 2018

Dear [REDACTED]

I am writing to follow up on our meeting regarding your alleged violation of Western Washington University's Student Conduct Code, as detailed in my previous email to you.

In our discussion we discussed the numerous incidents reported by [REDACTED] regarding your behavior between January 2018 and the end of June 2018. In our meeting, you shared that in the ten days prior to our meeting, when you learned about [REDACTED] report/complaint, you believed that the situation was being made into a bigger deal than required. However, during the near two and a half hours that we spent going over your behaviors toward [REDACTED], you shared that you believed that [REDACTED] was not lying about any of the reported incidents, although you noted that you thought the context was skewed or dates were off for some of the incidents. You also shared that you understood how you had harmed [REDACTED]. In our meeting, we spent some time talking about consent in the context of a platonic relationship and how you assumed boundaries with [REDACTED] that were far outside of the norm. Further, as we discussed consent, you shared that it was then obvious how consent is required in a platonic relationship, just as it is in a sexual relationship, and you felt bad that you had not understood that before. We talked about how consent to an activity requires someone to say yes or show actions that demonstrate willing participation and not just the lack of "no." We also spoke about coercion and how bribing or insistently requesting something until the other party concedes is not true consent. You shared that this was a new concept to you.

[REDACTED] throughout our conversation you focused a lot on the transactional aspects of relationships, on how people can do things for you, and mentioned how you believe that you do not find people pleasers, but that they find you. Throughout our conversation, you acknowledged participating in a variety of non-consensual behavior towards [REDACTED] including the following:

- Regularly punching [REDACTED] (including one occasion where you were intoxicated in front of others and, according to [REDACTED] punched [REDACTED] hard five times, including in the jaw. In our meeting you originally shared this was inaccurate and that [REDACTED] had asked to be hit that evening, but you finally acknowledged that you were intoxicated and may have gotten out of hand.)
- Tickling, or what [REDACTED] described as jabbing (including one occasion where you tickled [REDACTED] so hard that [REDACTED] cried on the floor for ten minutes, before ordering take out at your request.)
- Stepping and jumping on [REDACTED] (including what you described as "surprise" piggy back rides, standing on [REDACTED] back and head while in bed, and standing on [REDACTED] computer chair while [REDACTED] told you to stop repeatedly)
- Piercing [REDACTED] skin with a spring hook.
- According to [REDACTED]'s report and our conversation these non-consensual physical behaviors lead to [REDACTED] having new bruises almost every week.

- Taking and keeping possession of [REDACTED] despite [REDACTED] request for it back (including an incident where [REDACTED] had expressed wanting to participate in a Pokémon Go event.)
- Throwing small objects at [REDACTED] including pens, coins, almonds, sugar packets, crayons, and chocolate,
- Putting things in [REDACTED] ears, including soft cookie crumbs and crayons.

In our conversation, we also discussed what [REDACTED] described as emotional abuse from you. Although, you initially expressed confusion at what emotional abuse was, throughout our conversation, you acknowledged participating in a variety of emotionally abusive behavior towards [REDACTED] including the following:

- Using coercion and/or bribery to get [REDACTED] to participate in events or activities
- Showing up at [REDACTED], after being told [REDACTED] wanted time alone, after having self-harmed and insisting that [REDACTED] assist in your well-being. In our meeting, we discussed appropriate support resources for when you need support and how demanding someone else's time and attention is not appropriate.
- Whether consciously, or unconsciously, using self-harm or the threat of self harm or harm to [REDACTED] as a means to control [REDACTED] activities (including when you would hang out, go do chores, and when [REDACTED] would provide support to you).

As discussed in our meeting, these incidents on their own are concerning, but the holistic view of all of these behaviors showcases a pattern that caused [REDACTED] to fear for their physical safety and fear to say no to your requests. This behavior disrupted [REDACTED] ability to fully participate in educational opportunities, including in the lab you shared. Further, the persistent nature of this non-consensual and harming behavior over at least six months accumulated in an ongoing harassment of [REDACTED]

In my meeting with [REDACTED] shared that the above behaviors accumulated until finally having a realization that these behaviors were physically and emotionally abusive. [REDACTED] shared regularly feeling the need to hide bruises, that [REDACTED] could not tell you "no" or you might harm yourself or [REDACTED] and that you left [REDACTED] fearing for their life. [REDACTED] expressed feeling manipulated by you and believing that you had tried to cause isolation from [REDACTED] parents.

Based on the documentation and our discussion, I have concluded that you were responsible for violating the following section(s) of the Code:

Conduct that harms or threatens health or safety [WAC 516-21-060]

Disruptive behavior [WAC 516-21-070]

Harassment (other than sexual harassment or discriminatory harassment) [WAC 516-21-110]

In determining appropriate sanctions for these conduct violations, I have referred to the dual purpose stated in the student conduct code to "be educational in ensuring that students act in a manner consistent with high standards of scholarship and behavior, while maintaining the safety and well-being of all members of the university community" as well as my conversation with you where you shared that you were not the best person to determine what the appropriate response

was to these violations or, and [REDACTED] stated desires. [REDACTED] shared a desire to continue education at Western beyond a bachelor's degree and that this desire would be quelled by your presence on campus. However, [REDACTED] also shared that removing you permanently from Western may just lead to you going onto another institution without recognizing and changing your behaviors.

Given these considerations, I am imposing the following sanction(s):

1. Suspension from the University

You are suspended from Western Washington University and are trespassed from all areas of Western's campus through July 19, 2021 or until the Complainant, [REDACTED], is no longer attending or working at Western, whichever is longer. Your suspension will officially begin after the appeals deadline, listed below, has passed. Between now and your suspension start date, you are still trespassed from campus. The Office of Student Life will outreach to your on campus employment to facilitate your ability to gather possessions still on campus and to conduct any employment wrap-up.

During your suspension, you may not be on campus for any reason. An administrative hold has been placed on your student record; this prevents you from registering for classes and will remain in place until you have completed your suspension. Academic transcripts do not note violations of the Student Conduct Code. Prior to returning to Western, you must complete and submit a "Returning Student Application." The application is available on the Admissions website at <http://admissions.wvu.edu/returning/>. Questions about the re-application process should be directed to the Admissions Office at (360) 650-3440.

Before returning to Western:

2. Mandated Assessment: Counseling

Before returning to Western you must provide written verification of on-going counseling/mental health care from a licensed mental health provider (such as a psychologist or psychiatrist) that indicates they are aware of the behavior that lead to your suspension, that states you have been engaged in productive mental health care prior to your return to Western, and verifies you are ready to return to a university environment. You will need to sign releases of information with care providers allowing them to talk with staff at Western's Student Health Center. All of this should be provided to the Student Health Center several weeks before the beginning of the quarter in which you plan to return.

3. Educational Activity: Written Assignment

In our conversation, you expressed work that needs to be done around understanding consent, coercion, and how to have healthy boundaries and relationships.

Before returning to Western, you are required to write a focusing on the work you have done around understanding consent, coercion, and how to have healthy boundaries and relationships and how you will apply this to your role as a community member at Western.

This paper should be at least 7 pages, double spaced, 12 point font, cite 4 resources, and use appropriate spelling/grammar.

This paper may be submitted with the Suspension Re-entry Petition listed below.

4. Suspension Re-entry Petition

At least one month prior to seeking readmission from suspension you must submit a petition for re-entry to the Office of Student Life at student.life@wwu.edu.

The petition should include the following:

A paper typed, double-spaced, with one-inch margins, and 12-point font. It should include:

1. What you have been doing since your suspension
2. What changes you have been made to address the concerning behavior (including any assigned sanctions), and
3. What action steps you will take upon return to ensure your place as a productive Western community member, including preventing future reoccurrence of misconduct, and ensuring your academic success.

5. Suspension Re-entry Meeting

Upon receipt of the above petition the Office of Student Life will review it and schedule an in person or telephonic meeting with you to discuss the petition paper, any required sanction follow up, and the academic re-entry process.

6. OSL Meeting

During your first quarter back at Western you are required to have a follow up meeting with a representative from the Office of Student Life to check in on student success and provide any additional resources.

7. Conditional Status

Upon your return to Western, you will be placed on conditional status for the remainder of your academic undergraduate career at Western. During this time period, any violations of university policies or regulations, may result in additional sanctions and/or actions under the code.

██████, in our meeting you shared that you may not return to Western, because you are ashamed of these behaviors and do not want to face people in your department. However, I hope that, whether you return to Western or not, you follow up on sanctions above for your own personal development and wellbeing.

You have certain rights in the conduct process, including the right to request an appeal of these findings by an appeals board, as described in WAC 516-21-280 and WAC 516-21-290. The request for appeal must be submitted in writing to the dean of students, at deanofstudents@wwu.edu, within ten business days of this decision, making the final day you can request an appeal August 2, 2018 by 5 pm. If there is no request for an appeal received by the dean of students within ten business days, this decision is considered final.

All policies, and the Code, as well as your rights under the Code, including your right to request an appeal, can be found linked from here: <https://wp.wwu.edu/officeofstudentlife/reporting-a-concern-making-a-complaint/>.

Specifically, you may wish to review the following sections:

Student Rights in the Conduct Process [516-21-250]

Basis for Appeal [561-21-280]

Appeal Procedures [516-21-290]

The student who made the complaint has the right to be informed of the outcome of the University's student conduct process and will receive notification of this outcome.

If you have any questions about the student conduct process or if the Office of Student Life can provide any additional resources please contact us at (360) 650-3706.

Best,

Jessica J. Stillwell

Case Manager/Conduct Officer

360 650-3706

jessica.stillwell@wwu.edu

IR#: [REDACTED]